Attorney's Docket No.: 11283-013001 / PH-1261 US (FA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

applicant: Kuramitsu, et al.

Art Unit: 1636

Serial No.: 09/938,901

Examiner: Maria Marvich

Filed

: August 24, 2001

Title

: NOVEL DNA REPAIR ENZYMES, NUCLEIC ACIDS ENCODING DNA

REPAIR ENZYMES AND METHODS OF USING THEM

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER AND PETITION FOR AUTOMATIC EXTENSION

Correspondence relating to this application is enclosed. The required fees are computed below.

| Total Claims | 35 | - | 35 | = | 0 | \$0 |
|-----------------------------------------------------------------|----|----------------|----|---|---|-------|
| Independent | 10 | - , | 10 | = | 0 | \$0 |
| First Presentation of Multiple Dependent Claims | | | | | | \$0 |
| Applicant hereby petitions under 37 C.F.R. §1.136 for a 3 month | | | | | | |
| extension of time. | | | | | | \$950 |
| A check for \$950 is attached. | | | | | | \$950 |

A check for \$330 is attached \$330 Also, enclosed is a Notice of Appeal and the fees due. Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Fish & Richardson P.C. 12390 El Camino Real

Notice of Appeal Fee Due

San Diego, California 92130 Telephone: (858) 678-5070 Facsimile: (858) 678-5099

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Joseph R. Baker, Jr.

09/23/2004 CNGUYEN 00000010 09938901

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950,00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

\$330

1 hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 20, 2004 Date of Deposit

Signature

Teri Barnett

Typed or Printed Name of Person Signing Certificate